

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF OKLAHOMA**

HERMAN PATTERSON, )  
vs. )  
Petitioner, )  
OKLAHOMA DEPARTMENT OF )  
CORRECTIONS, *et al.*, )  
Respondents. )  
NO. CIV-12-0376-HE

## ORDER

Petitioner, a prisoner appearing *pro se*, filed a motion seeking leave to proceed *in forma pauperis*. The matter was referred to Magistrate Judge Bana Roberts for initial proceedings pursuant to 28 U.S.C. § 636(b)(1)(B) and (C). The magistrate judge issued a Report and Recommendation recommending that petitioner's motion be denied, as she concluded that he had sufficient funds to prepay the filing fee of \$5. Petitioner did not object to the Report and Recommendation but, instead, paid the sum of \$5.00 on April 18, 2012. Accordingly, petitioner's motion [Doc. #2] is **DENIED** as being **MOOT**.

## IT IS SO ORDERED.

Dated this 23rd day of April, 2012.

*Joe Heaton*  
JOE HEATON  
UNITED STATES DISTRICT JUDGE